GOVERNMENT OF INDIA
PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:8056
ANSWERED ON:17.05.2000
CENTRAL SECRETARIAT SERVICE RULE
JAGDAMBI PRASAD YADAV

Will the Minister of PERSONNEL,PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) the reasons for not defining the Provisions of Central Secretariat Services Rule, 1962 (Original Rul

(e) through any Office Orders/Memorandum;

(b) whether the Government propose to review the practice of defining of CSS Rules by way of office orders and Memorandum; and

(c) if so, the details thereof?

Answer

MINISTER OF STATE OF DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSION AND PENSIONERS` WELFARE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(SMT. VASUNDHARA RAJE)

(a), (b) & (c): It is well settled in law that administrative instructions, i.e. Office Orders/Memoranda can be issued only to fillgaps in the existing statutory rules and not to supplant them. Office Orders/Memoranda can also not be issued in contradiction of the provisions of the rules. The CSS Rules, 1962 allows this Ministry to issue instructions in residual matters not specifically covered by the rules and to relax the provisions of the rules in certain circumstances in consultation with UPSC.

In view of this, the question of reviewing the practice is not contemplated.